

1 BILL NO. S-79-07- 42

2 SPECIAL ORDINANCE NO. S- 132-79

3 AN ORDINANCE AUTHORIZING THE CITY OF  
4 FORT WAYNE TO ISSUE ITS "ECONOMIC  
5 DEVELOPMENT REVENUE BONDS (SAFETY  
6 EQUIPMENT & SUPPLY, INC. PROJECT)"  
AND APPROVING AND AUTHORIZING OTHER  
ACTIONS IN RESPECT THERETO.

7 WHEREAS, the Fort Wayne Economic Development Commission  
8 has rendered its Project Report for the Safety Equipment & Supply,  
9 Inc. Project regarding the financing of proposed economic develop-  
10 ment facilities for Safety Equipment & Supply, Inc. and the Fort  
11 Wayne Planning Commission has commented favorably thereon; and  
12

13 WHEREAS, the Fort Wayne Economic Development Commission  
14 conducted a public hearing on May 21, 1979, and also adopted a  
15 resolution on May 21, 1979, which Resolution has been transmitted  
16 hereto, finding that the financing of certain economic development  
17 facilities of Safety Equipment & Supply, Inc. complies with the  
18 purposes and provisions of I.C. 18-6-4.5 and that such financing  
19 will be of benefit to the health and welfare of Fort Wayne and its  
20 citizens; and  
21

22 WHEREAS, the Fort Wayne Economic Development Commission  
23 has heretofore approved and recommended the adoption of this form  
24 of Ordinance by this Common Council and has approved the forms  
25 of and has transmitted for approval by the Common Council the  
26 Loan Agreement, Note, Lease and Trust Indenture and now therefore,  
27

28 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
29 FORT WAYNE, INDIANA THAT:

30 SECTION 1. It is hereby found that the financing of the  
31 economic development facilities referred to in the Loan Agreement  
32 approved by the Fort Wayne Economic Development Commission and  
33 presented to this Common Council, the issuance and sale of revenue  
34 bonds, the loan of the proceeds of the revenue bonds to Barbara  
35 M. Neuffer and Edward L. Neuffer for the acquisition and construc-

1 tion of such facilities and the equipping thereof, and the payment  
2 of the revenue bonds by the rent payments of Safety Equipment &  
3 Supply, Inc. under the Loan Agreement and Note, complies with the  
4 purposes and provisions of I.C. 18-6-4.5 and will be of benefit  
5 to the health and welfare of the City of Fort Wayne and its  
6 citizens.  
7

8 SECTION 2. The final forms of the Loan Agreement,  
9 Note, Lease and Trust Indenture approved by the Fort Wayne  
10 Economic Development Commission are hereby approved and all such  
11 documents (herein collectively referred to as the "Financing  
12 Agreement" referred to in I.C. 18-6-4.5), shall be incorporated  
13 herein by reference and shall be inserted in the minutes of the  
14 Common Council and kept on file by the Clerk.  
15

16 SECTION 3. The City of Fort Wayne shall issue its  
17 Economic Development Revenue Bonds (Safety Equipment & Supply, Inc.  
18 Project), in the total principal amount of Three Hundred Twenty-  
19 Five Thousand Dollars (\$325,000) for the purpose of procuring  
20 funds to pay the costs of acquisition, construction and equipping  
21 of the economic development facilities as more particularly set  
22 out in the Trust Indenture and Loan Agreement incorporated herein  
23 by reference, which bonds will be payable as to principal, premium,  
24 if any, and interest from the rent payments made by Safety Equip-  
25 ment & Supply, Inc. under the Loan Agreement and Note or as  
26 otherwise provided in the above described Trust Indenture. The  
27 Bonds shall never constitute a general obligation of, an indebt-  
28 edness of, or a charge against the general credit of the City of  
29 Fort Wayne.  
30

31 SECTION 4. The Mayor, Clerk and/or Controller are  
32 authorized and directed to sell such bonds to the purchasers  
33 thereof at a rate of interest on the bonds not to exceed 8-1/2%  
34 per annum and at a price not less than 100% of the principal  
35 amount thereof.

1           SECTION 5. The Mayor and Clerk are authorized and  
2 directed to execute the documents constituting the Financing  
3 Agreement approved herein on behalf of the City and any other  
4 document which may be necessary or desirable to consummate the  
5 transaction, including the bonds authorized herein. The signatures  
6 of the Mayor and Clerk on the bonds may be facsimile signatures.  
7 The Clerk is authorized to arrange for delivery of such Bonds to  
8 the Trustee named in the Trust Indenture, payment for which will  
9 be made to the Trustee named in the Trust Indenture and delivered  
10 by the Trustee to the purchasers thereof.

11           SECTION 6. The provisions of this Ordinance and the  
12 Trust Indenture securing the bonds shall constitute a contract  
13 binding between the City of Fort Wayne and the holder of the  
14 Economic Development Revenue Bonds (Safety Equipment & Supply, Inc.  
15 Project), and after the issuance of said bonds, this Ordinance  
16 shall not be repealed or amended in any respect which would  
17 adversely affect the rights of such holders so long as any of  
18 said bonds or the interest thereon remains unpaid.

19           SECTION 7. This Ordinance shall be in full force and  
20 effect from and after its passage and signing by the Mayor.

21  
22  
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24  
25 Thomas A. Schmidt  
26 Councilman

27  
28  
29  
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31  
32 APPROVED AS TO  
33 FORM & LEGALITY  
34 William N. Salin  
35 William N. Salin, City Attorney

Read the first time in full and on motion by J. Schmidt, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 7-24-79

Charles W. Winterman  
CITY CLERK

Read the third time in full and on motion by J. Schmidt, seconded by Hinga, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>7</u>	_____	_____	<u>0</u>	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HUNTER</u>	_____	_____	_____	<u>✓</u>	_____
<u>MOSES</u>	<u>✓</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	_____	_____	_____	<u>✓</u>	_____
<u>SCHMIDT, D.</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 8-14-79

Charles W. Winterman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING-MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. I-132-79 on the 14th day of August, 1979.  
ATTEST: (SEAL)

Charles W. Winterman  
CITY CLERK

Winifred C. Wingo Jr  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1979, at the hour of 11:30 o'clock A. M., E.S.T.

Charles W. Winterman  
CITY CLERK

Approved and signed by me this 20th day of August, 1979, at the hour of 9 o'clock \_\_\_\_\_ M., E.S.T.

Robert E. Hinchey  
MAYOR

Bill No. S-79-07-42

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance

AUTHORIZING THE CITY OF FORT WAYNE TO ISSUE ITS "ECONOMIC

DEVELOPMENT REVENUE BONDS (SAFETY EQUIPMENT & SUPPLY, INC.

PROJECT)" AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT

THERETO

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance do PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

WILLIAM T. HINGA - VICE CHAIRMAN

JAMES S. STIER

JOHN NUCKOLS

DONALD J. SCHMIDT

*Vivian G. Schmidt*  
*William T. Hinga*  
*James S. Stier*  
*John Nuckols*  
*Donald J. Schmidt*

8-14-79 CONCURRED IN  
DATE CHARLES W. WESTERMAN, CITY CLERK